
BOARD OF ADJUSTMENT MINUTES

MARCH 23, 2016

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in Conference Room D of the Norman Municipal Building A, 201-A West Gray, at 4:30 p.m., March 23, 2016. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at www.normanok.gov/content/board-agendas at least 24 hours prior to the beginning of the meeting.

Item No. 1, being:

CALL TO ORDER

Chairman Andrew Seamans called the meeting to order at 4:30 p.m.

* * *

Item No. 2, being:

ROLL CALL

MEMBERS PRESENT

Hank Ryan
Curtis McCarty
Nils Gransberg
Kristen Dikeman
Andrew Seamans

MEMBERS ABSENT

None

A quorum was present.

STAFF PRESENT

Susan Connors, Director, Planning & Community
Development
Wayne Stenis, Planner II
Leah Messner, Asst. City Attorney
Roné Tromble, Recording Secretary

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Item No. 3, being:

APPROVAL OF MINUTES OF THE FEBRUARY 24, 2016 REGULAR MEETING

Curtis McCarty moved to approve the minutes of the February 24, 2016 Regular Meeting as presented. Hank Ryan seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Hank Ryan, Curtis McCarty, Nils Gransberg, Kristen Dikeman
NAYS	None
ABSTAIN	Andrew Seamans
ABSENT	None

Ms. Tromble announced that the motion to approve the February 24, 2016 Minutes as presented passed by a vote of 4-0-1.

* * *

Item No. 4, being:

BOA-1516-12 – SEAN & RENEE BAUMAN REQUEST A VARIANCE OF 5' TO THE REQUIRED 20' REAR YARD SETBACK FOR AN EXISTING TRELLIS-COVERED PATIO TO RECEIVE A SECOND FLOOR ADDITION AT THE SAME SETBACK, AND A VARIANCE OF 5' TO THE REQUIRED 20' REAR YARD SETBACK FOR A TWO-STORY ADDITION TO THE NORTH SIDE OF THE MAIN BUILDING IN ALIGNMENT WITH THE EXISTING TRELLIS-COVERED PATIO FOR AN EXISTING HOUSE LOCATED AT 2000 WYCKHAM PLACE.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Location Map
3. Application with Attachments
4. Plat
5. Aerial Photo
6. Drawing – Area of Encroachment
7. Letter withdrawing Protest
8. Support Map and Support Letters

PRESENTATION BY STAFF:

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. One filed protest has now been withdrawn; support letters amount to 33.0% of the notification area.

Mr. Ryan – On the four requirements for a variance, the first one refers to 4x4 wood columns. I think the last one here shows some 12x12 timber columns. I'm a little confused.

Mr. Stenis – The application says 12x12. That's my mistake; I misread that. I'm sorry.

Mr. Gransberg – Will this addition enclose the existing trellis, or is it going to rest on top of it?

Mr. Stenis – As you can see on the site plan, the second floor will rest on top of it. There will not be a completely enclosed patio area; there will be a brick fireplace added on one side of it.

PRESENTATION BY THE APPLICANT:

Sean Rieger, representing the applicant – This is Mike Mitscher, with McKinney Partnership Architects, who has designed the project. First, I have to apologize for Mr. Sean Bauman, who is not able to be here today; he's in Brazil. If you know Mr. Bauman, he's the CEO of IMMY Technologies, building that large immuno-technology building out in University North Park, and he's, unfortunately, down in Brazil and was not able to make it back today, so he extends his apologies.

First, I want to say thank you to staff for finding their way to support this project. We tried very hard to work with staff and neighbors to get this to a point where we could find agreement. You might recall that there was a neighbor to the west that objected to this initially, and he was very concerned about drainage. The gentleman that I'm referring to was right over here. This is our property right here. He was very concerned about drainage as we built off to that northwest corner. We met with Mr. Lambrecht multiple times with Mr. Mitscher and with our contractor, and I think we found a way to accommodate it to where drainage can work. We pledge to make sure that the drainage will work and I put it here on the record today that it will be our duty to make sure that the drainage works around this property as we build it. So Mr. Lambrecht then withdrew his protest and, in fact, is not here today and I think became very appreciative.

I'd like to take you through just to show you very specifically what we're proposing. This is the site. You can see the existing condition. This is off of the City's GIS mapping. As Mr. Stenis

told you, we're requesting a variance up on this back corner.

This is the site plan that's proposed as it reflects this addition off the back side. You can see the existing house is right here. The pool is right here. This is the proposed addition. You can see the second floor of that proposed addition is really up top there. The trellised area that you asked about, Commissioner, is right in this location. We are intending for the lower story of it to be open air underneath, so then the second story sits on top of it. The plan shows that this addition would extend out about 4'11" at that corner, and about 4'4" at that corner, so what we proposed is a 5' setback to accommodate that extension. I would note that the site already has a 20' building setback and a 10' utility easement. We do not propose, of course, to encroach upon the utility easement at all, and I'll show you more about that in just a minute. So that's the proposal. It's just on that far corner up on the northwest. We don't intend to affect any of this; you see large green space areas along the south and the southwest will be unchanged.

The views to the new addition, just to give you some sense of how it affects the neighbors around it -- you can see some distances: 43' up to the north -- this neighbor has supported the item; 130' to the south -- this neighbor has supported; all of these neighbors are supportive of the application. We've tried very hard to keep it a small footprint. Again, Mr. Lambrecht originally was concerned about the drainage around this and has now found his way to not object any longer.

Now I'm just going to take you through some views that the architects did. This is the new addition off to the back, so we're looking down the driveway from the street to the back of the property. This is the north neighbor view, so from the north and the new addition off there; again, they support this item. This is the northeast neighbor view and the addition is off to the far right there. This is the northwest neighbor, their view of the addition; they have not protested this. This is the addition view from the south; this neighbor supports. This is the addition beyond the southeast entry of Wyckham Drive and I'll show you different areas of this. This is the southeast and that addition is off the back edge over there. This is the southwest neighbor view and you can see the addition over there. So the trellis, if you can imagine, would have been right here. So we're proposing an upper story to it and down story as well. That's the west neighbor view; this is Mr. Lambrecht's view from the west.

To give you an even better image, you can see the five foot that would stick out. I think what's important to notice on this image is that the bulk of the roofline is all within the legal setback space. It's only this one story area you can see of really what would be at that location, except for the chimney space over here as well. So we stick out just at that location. And there you see it as well. The upper story does stick into that five foot, but you can see the ridge line of the lower story cuts back into that.

We talked about the four items. This was built in 1997. The Baumans did not build this house and they, as far as we know, didn't build the trellis structure, we don't believe. We think it is peculiar, as Mr. Stenis mentioned, that this trellis sticks out there already with some large -- we believe it is 12x12 -- timbers and large trellis structure. That's already there. We simply want to expand on that. Others on Wyckham have heavily covered lots and they already maximize all the coverage of their improved areas. I'm going to show you that in just a minute -- how this is really in keeping with the neighborhood. Again, the Baumans didn't build the house and the neighbors are widely in support of this project. As staff found, this variance will not be contrary to the public interest in any way.

What I really want you to consider is that, if you look at these lots around us -- this is our lot right here and you see that trellis structure right there. If you look at these lots on the street, you can see they're almost fully covered -- the entire buildable area of their lots. It is packed. You can see it with all of these structures all around us. We, on the other hand, have large green

spaces. So even after we do this addition, we actually will have significant green space, unlike most of the lots in this neighborhood. So, really, we're very compatible and in keeping with that. So I think that's a little bit of a peculiarity in this street in that they have such maximized square footages and maximum use of these lots.

Another thing this applicant has tried very hard to do is to set the addition far into that north corner. What I'd really like you to look at is the house to the north. It is already built all the way back into that corner. So with our proposed addition, we'd actually be right across from what is really only one window and an addition that is already all the way back here. We'll just be 4'4" deeper than what is already up on that northern end. Again, Mr. Lambrecht withdrew his protest after we've committed that we'd make sure the drainage is right. So we really are somewhat similar to the house to the north in the siting and the location of it.

Green space. Again, as I mentioned, you can see all the green around this site. Actually, there is a proposal to put in a circular drive in front, too – fairly narrow one. Even after we do this addition, you can see the maximum coverages – R-1, which is the zoning of this property, allows as a matter of right to put total maximum building coverage of 40%; we will only have 29%. Then the impervious area, which is all hard space – building and hard space – R-1 allows you to go up to 65%; we will only have about 51%, and I think it actually climbs to about 54% with this circular drive. But still really very significantly under what the impervious coverages are. And if you, again, remember these neighbors to the south and the west, who support us, I think are in much greater percentages of coverages than what we will have.

Just to show you again, we're going to maintain all of this large green open space around the perimeter, except for a drive in the front and this addition off to the west. Google Earth kind of messes with those images, so I apologize if that's not very clear. That's kind of what Google Earth does there.

Again we commit for the record to make sure that we provide a swale around this that accommodates the drainage. The natural drainage, you see – 1189, 1188, 87, 86 – the natural drainage is this way. So we'll make sure that we accommodate that drainage as the addition is done.

One other thing that I think is important to note: R-1 actually already allows for accessory buildings of one story to be built within one foot of the utility easement. Here's the utility easement, which is only ten feet. I'm not trying to tell you that's what we're doing; we're not. We're attaching to the building. So we're not an accessory building. But if we were actually not attached to a house – if we just built an accessory pool house of one story, as a matter of right we could built it back to within one foot of this utility easement. We're only proposing it to go back to within five feet of it. If you looked at that roofline, part of our building comes back, so we're somewhat similar to what would already be similar as a matter of right if it was an accessory building.

You did approve previously in 2012, in July, what I think is some similar of an addition. This was over in the Vineyard Addition. This was actually connecting an accessory building to an existing house so that it became one large addition of a garage addition. This one actually was a two foot setback into a five foot side yard for a large RV garage that the owner wanted in that location. You did approve that. That was new construction. So it has been done before in, I think, similar fashion.

Really very significant support for this project. You heard staff has come to support it. Now I just want to read these – you've seen them. Don and Martha Roberts at 2012 Wyckham – this is a positive situation for our neighborhood. Increased square footage, increased home and lot value for the Baumans, increased home and property value overall for all surrounding property owners. Then Bane and Melanie Bigbie said the Baumans are great neighbors and we have no problem at all with the addition to their home. Then, finally, Chris and Barbara Huston

wrote: our neighbors adjacent to our house directly to the south – so this is probably the house most impacted if you can remember – their house goes all the way back to right in the corner there, so they're the closest to this addition – and they wrote: directly south of our property have shared their proposed plan for the new addition to their home. And based on the condition of the Bauman's property and our experience with the work they did during recent construction necessitated by the storm damage to the Bauman home following the spring 2015 tornado, we are confident that the Baumans will maintain the high standards currently found in the neighborhood. So they came to support as well.

With that, we again appreciate very much staff's support. Neighbors greatly support this project. We've worked very hard to make sure that we protected Mr. Lambrecht and he has come to believe that we will. You can see the significant open space that we're going to maintain. So it's really a very small area of the addition that we're requesting the variance for. With that, I'm happy to answer any questions you have, and we request your approval today. Thank you very much.

Mr. Ryan – The posts that will be used in the construction are represented to be the existing posts. Are there any other existing footings or poured concrete or other things other than the posts that will be utilized in the project?

Mr. Mitscher – We haven't verified the extent of the patio where those posts are at. I don't know that they really have a footing there. So really the only existing would be the posts.

Mr. Ryan – What I'm trying to get to is we've got one of our requirements is being met on the existing posts – that that's one of the things which would almost say then you've got to use them. Are there any other things that might be there so that if you run into a situation where you said really those posts aren't going to work and these other items are already existing that you want to use?

Mr. Mitscher – Not to my knowledge. Just those posts and their foundations. And, obviously, they'll be inspected to the extent of making sure that they're structurally sound.

Mr. Ryan – Since the representation is that the existing posts would be used, then they kind of have to be used or the variance is void.

Mr. Mitscher – Yes.

Mr. Ryan – So if you find that, oh, those aren't going to work, you're going to need to come back and say, oh, here's a change in the situation.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. McCarty – I don't know that the posts necessarily mean to me that that's exactly what it says. If they find that the posts are not structurally sound, I'm not sure that I agree they would have to come back. They're just stating the posts are already there. It's just a point of clarification that that's where it's being built is the way I read this.

Mr. Ryan – It's being used to meet a requirement for a variance that they want – part of the

reason is to use the existing posts. That's how they're meeting the first requirement.

Mr. McCarty – The existing posts are not required to have a variance for. It's not a ...

Mr. Rieger – We're okay with that. We intend to use them.

Mr. McCarty – I just wanted to clarify, because I don't know that I read this the same way you're reading it, Hank, which is fine. I was reading it that that's a boundary of where the add-on will go and that was stated as the reason for that.

Mr. Ryan – On the four requirements, them meeting the first requirement by saying we want to use the existing posts, and that's why it's different. If you take out that, then they don't meet that requirement. That's why I'm saying.

Ms. Dikeman – I agree with Curtis – your interpretation. I think that's just a way for us to visualize.

Mr. McCarty – The location. That's fine.

Mr. Ryan – Those were conditions peculiar – and that special condition is met by they want to use the existing posts.

Mr. McCarty – I see it as the location of the existing trellis.

Ms. Dikeman – I still agree with Curtis' interpretation on it.

Mr. McCarty – If I read this thing, the requested action is north side of the main in alignment with the existing trellis-covered patio. It's just saying that there's already an existing structure there with columns and that's where they would like to improve it to. That's how I read it. That's probably getting a little too technical. All they'd have to do is take the columns out, put in footings, and put the posts back, and they'd still meet the requirement.

Mr. Ryan – That would not have met, unless they come in and say, look, we intended to do this. They can't use the existing posts to meet the first requirement. Be aware of that. It could become an issue. Hopefully it doesn't.

Mr. McCarty – What I think our job is as Board of Adjustment is exactly for things like this. These are always tough decisions. We always see things like this that come up – people that have changes in what they need to do and what has been done. It sounds like there's a trellis there that is already in the area.

Mr. Ryan – As staff says, it does not meet the requirements, so we're sort of – we're always, I think, very receptive, but what we need to recognize where we're bending – we need to at least maintain that part or, if it's not going to happen, then maybe we will need to do it again, because we're making a decision based on these facts.

Mr. McCarty – But I think the Board of Adjustment is for situations just like this.

Mr. Ryan – I agree on that.

Mr. McCarty – So, in saying that, I think that, with the support of the neighbors and where they intend to do this is probably the least impacted area to the neighbors. They're not trying to do something that would affect directly to any of the neighbors and they all have support. I think that this makes sense for us to be able to approve this.

Mr. Ryan – I don't think it's going to make any difference, but since it's two variances let's vote on each one.

Nils Gransberg moved to approve the Variance of 5' to the required 20' rear yard setback for an existing trellis-covered patio to allow a second floor addition at the same setback. Kristen Dikeman seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Hank Ryan, Curtis McCarty, Nils Gransberg, Kristen Dikeman, Andrew Seamans
NAYS	None
ABSENT	None

Ms. Tromble announced that the motion, to approve the Variance for the existing trellis-covered patio to allow a second floor addition at the same setback, passed by a vote of 5-0.

Curtis McCarty moved to approve the Variance of 5' to the required 20' rear yard setback for a two-story addition to the north side of the main building in alignment with the existing trellis-covered patio. Nils Gransberg seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Hank Ryan, Curtis McCarty, Nils Gransberg, Kristen Dikeman, Andrew Seamans
NAYS	None
ABSENT	None

Ms. Tromble announced that the motion, to approve the Variance for a two-story addition to the north side of the main building, passed by a vote of 5-0.

Mr. Seamans noted that there is a 10-day appeal period before the Board's decision is final.

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Item No. 6, being:

BOA-1516-16 – DERRAL MINSON REQUESTS A VARIANCE OF APPROXIMATELY 18' TO THE 50' FRONT YARD SETBACK FOR PROPERTY CURRENTLY ZONED A-2, RURAL AGRICULTURAL DISTRICT, AND LOCATED AT 7315 FRANKLIN COURT.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report with Aerial Photo
2. Location Map
3. Application and Attachments
4. Plat

PRESENTATION BY STAFF:

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. There were no protests filed on this application.

PRESENTATION BY THE APPLICANT:

Derral Minson, the applicant, was available to answer any questions, but did not make a presentation.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Hank Ryan moved to approve the Variance of 18' to the 50' front yard setback for an addition of a bedroom to the existing house. Nils Gransberg seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Hank Ryan, Curtis McCarty, Nils Gransberg, Kristen Dikeman, Andrew Seamans
NAYS	None
ABSENT	None

Ms. Tromble announced that the motion, to approve the Variance, passed by a vote of 5-0.

Mr. Seamans noted that there is a 10-day appeal period before the Board's decision is final.

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Item No. 7, being:

BOA-1516-17 – CHRIS FAIRCHILD REQUESTS A VARIANCE OF APPROXIMATELY 1' TO THE 5' SIDE (SOUTH) YARD SETBACK AT THE SOUTHWEST CORNER OF A NEW HOME ZONED R-1, SINGLE FAMILY DWELLING DISTRICT, AND LOCATED AT 4504 CANONBURY CIRCLE.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Location Map
3. Application with Survey

Mr. McCarty – I am requesting recusal from this application. I am the contractor on the site. Chris Fairchild is the surveyor. The owner is Christie and Mike Remualdo; they own the property. I'm building them a new house. Actually, Chris Fairchild is a licensed surveyor in Oklahoma and made a mistake on a property boundary pin location. This was discovered after we had started construction of the house. That's why Chris is the applicant, is because he's the surveyor that made the mistake. So I've asked him to handle this with the Board of Adjustment. I didn't know for sure if he would be here today or not. So I'm actually representing the owners, in a sense, since I'm their contractor.

Ms. Messner – Typically with Planning Commission and City Council when a member requests recusal, you all then make a motion and a second and vote to allow the recusal.

Hank Ryan moved to allow Mr. McCarty to recuse on this item. Ms. Dikeman seconded the motion.

YEAS

Hank Ryan, Nils Gransberg, Kristen Dikeman,
Andrew Seamans

NAYS

None

ABSENT

None

Ms. Tromble announced that the motion, to allow Mr. McCarty to recuse, passed 4-0.

Ms. Messner – I don't have an issue with you representing the applicant if you want to. But if you'd leave the room, we'll discuss the issue then come back in and put on the record that you're not here in your capacity as a Board of Adjustment member; you're here in the capacity representing the applicant.

Mr. McCarty left the room.

Ms. Messner – Questions about the documents you all were provided?

Mr. Ryan – We have nothing to say the owner is requesting this.

Ms. Messner – Interestingly enough, our ordinance doesn't require that. The ordinance for the documents that are required for an application ...

Mr. Ryan – In any event, we have requested the ownership documentation in our packets, and we did not receive it.

Ms. Dikeman – I'd like to hear the rest of ...

Ms. Messner – Absolutely. The code doesn't require ownership information. It's my understanding that staff usually asks for it, because it's good information to have. However, the application packet doesn't require it. I understand that we do not have it in this case, for the reasons that Curtis just explained, is that the surveyor made an error and the surveyor has applied on behalf of the property owner. That's pretty standard for an attorney or an engineer or someone professional to make the application to either the Planning Commission or the City Council or the Board of Adjustment, for an application like this when they're representing the owner. I understand that you all would like to have that information, and I apologize that it wasn't provided with the packet. But that's the reason that it was not.

Mr. Ryan – Ms. Messner, let me – I want to make sure I'm clear that you're stating that this Board has the authority to make changes to a person's real property without their written permission. Is that what you're stating? We have the authority to do that. Because that's the result.

Ms. Messner – Page 195 of the Zoning Code – it's section 441.11 – the procedure for application for variances, and there is not specification in there that the owner has to sign the application to the Board of Adjustment.

Mr. Ryan – Okay. So you're advising this Board that it has the power to make changes to a person's real property without their permission.

Ms. Messner – I'm advising that the Code of Ordinances does not require the owner's signature on the application.

Mr. Ryan – Does that mean that we – if there's no ownership concurrence – that our decision will be enforceable against the owner?

Ms. Messner – Do you mean if you approve this today and the owner objects to it?

Mr. Ryan – Yes. What's the effect then?

Ms. Messner – Well, there's a ten-day waiting period on any of your decisions, which I know you're aware of. And I think we just heard from Mr. McCarty that the owner is aware of this one and is ready to go forward. He just did not fill out the application because the surveyor did on his behalf.

Ms. Dikeman – Would you like us to make a motion to continue? Is that necessary in this?

Ms. Messner – I don't believe so. You certainly have the option to postpone it if you wish, with a request of more documentation, but I do not believe you're legally required to do so.

Mr. McCarty returned to the room during the staff presentation.

PRESENTATION BY STAFF:

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. There were no protests filed with regard to this application.

PRESENTATION BY THE APPLICANT:

Curtis McCarty, C.A. McCarty Construction, the builder – The house is currently under construction. The property pins were located prior to the foundation being laid. Once we started the foundation work, we realized that the surveyor had made a mistake. At that point, we caught it and investigated further to find out that there were some mistakes that the surveyor found on the plat, where there was some actual map data that was missed that he had to manually calculate and he made a mistake when he did that. That's what created this problem, in a sense. The house – and I heard Wayne say this – is not bricked yet, so that's why the approximation was made for the façade. We found the existing front property pins. What basically happened is the back property pins are all skewed a little bit, so the front pins are just perfectly fine; it's just the back property line that was all skewed. So, in a sense, as you go down the property line, the house encroaches just a little bit in the very front corner of the house, which is maybe 3 or 4 inches, I think. You all have the information in front of you. And in the back corner of the house is not even a foot. So that's pretty much what happened. The north boundary of the property, of the house, is just fine; no encroachments there. So it's just on the south side. I'd be happy to answer any further questions.

Mr. Seamans – Any questions from the Board to the applicant? Any discussion amongst the Board?

Mr. Ryan – I think at this point Curtis needs to leave.

Ms. Messner – I don't think he has to, but if he wants to ...

Mr. McCarty – I will. I don't mind.

Mr. McCarty left the room.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Ms. Dikeman – I have no problem with this.

Mr. Ryan – I have no problem with the requested variance. I have a significant problem with the lack of the owner acknowledging the request for the variance. And I think we're on pretty shaky ground with letting Mr. McCarty do the presentation, on a conflict of interest.

Ms. Dikeman – Why would that be, though? I'm just curious, because he did recuse himself. He is a contractor on the project. And he's involved and he has recused himself from his position as a Board member.

Mr. Ryan – Because he would be viewed as having a significant influence on us as his position on this board. A third party looking at it would say, oh, you let him come in and tell you what he needed. I think he should have been out from the very beginning for the whole presentation – from the beginning until after we completed our voting. If you're in a protest area on a property, in the past a Board member has always had to leave prior to the presentation and doesn't return until after the presentation because of the conflict of interest of being a potential protestor. Obviously, Mr. McCarty has a financial interest in this. I think Curtis is an extremely

good person. The rules are set up to prevent the appearance of a conflict of interest.

Mr. Gransberg – I think with this, honestly, this is a very run-of-the-mill adjustment.

Mr. Ryan – I agree on the request.

Mr. Gransberg – Those are my two cents on this. I think there is nothing extraordinary about this. It's a surveyor's error, and a small one at that.

Nils Gransberg moved to approve the Variance of 1' to the 5' south setback at the southwest corner of the new home. Kristen Dikeman seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Nils Gransberg, Kristen Dikeman, Andrew Seamans
NAYS	None
ABSTAIN	Hank Ryan
RECUSED	Curtis McCarty
ABSENT	None

Ms. Tromble announced that the motion, to approve the Variance of 1' to the 5' setback, passed by a vote of 3-0-1.

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Mr. McCarty returned to the meeting.

Item No. 8, being:

BOA-1516-18 – CEDAR LANE, L.L.C. REQUESTS A VARIANCE OF APPROXIMATELY 7% TO THE 40% MAXIMUM BUILDING COVERAGE FOR PROPERTY ZONED R-1, SINGLE FAMILY DWELLING DISTRICT, LOCATED AT 1404 LUKE LANE.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Email withdrawing the application

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

No action was necessary. This item appeared on the agenda because it had been advertised prior to the withdrawal being submitted.

Mr. Stenis reported that the prospective property owners in this case have decided to wait for a future phase of the subdivision to find a lot that is big enough to accommodate their desired house.

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Item No. 9, being:

MISCELLANEOUS DISCUSSION

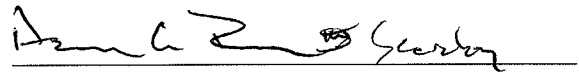
None

Item No. 10, being:

ADJOURNMENT

Hank Ryan moved to adjourn; Kristen Dikeman seconded the motion. There being no further business and no objection, the meeting adjourned at 5:16 p.m.

PASSED and ADOPTED this ____th day of April, 2016.


Secretary, Board of Adjustment